

**REMARKS**

This Response responds to the Office Action dated December 11, 2008, in which the Examiner rejected claims 1-3 under 35 U.S.C. § 103.

Claims 1-3 claim a controller for a photographing apparatus having a photographing portion with driving means that allows the photographing direction of the photographing means to be varied. The controller comprises a spherical surface in which the photographing means is disposed for photographing pictures. A displaying means or operation area displays a panoramic picture generated by mapping a plurality of pictures on to a virtual spherical surface representing the spherical surface. Claim 1 additionally claims a controlling means while claims 2 and 3 claim a picture selecting means.

By generating a panoramic picture by mapping a plurality of pictures onto a virtual spherical surface representing a spherical surface in which the photography means is disposed as claimed in claims 1-3, the claimed invention provides a controller which prevents adjacent pictures of the panoramic picture from overlapping and distorting. The prior art does not show, teach or suggest the invention as claimed in claims 1-3.

Claims 1-3 were rejected under 35 U.S.C. § 103 as being unpatentable over *Moezzi, et al.* (U.S. Patent No. 5,850,352) in view of *Yamaashi, et al.* (U.S. Patent No. 6,337,709).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Moezzi, et al.* appears to disclose the creation of three-dimensional video image models and the location and dynamic tracking of video images of selected objects depicted in the models

(Col. 1, lines 37-40, emphasis added). The creation of the virtual image is based upon a computerized video processing-in a process called hypermosaicing-of multiple video views of the scene, each from a different spatial perspective on the scene (Col. 9, lines 14-18). The method includes (i) capturing a video of a real-world scene from each of a multiplicity of different spatial perspectives on the scene, (ii) creating from the captured video a full three-dimensional model of the scene, and (iii) producing, or synthesizing, from the three-dimensional model a video representation of the scene that is in accordance with the desired perspective on the scene of a viewer of the scene (Col. 9, lines 50-57, emphasis added). FIG. 8a shows a bird's eye view of a walkway. FIG. 8b illustrates how video images are generated by the system for a given viewpoint. The view is generated by a prototype immersive video system using a comprehensive 3D model for the corresponding video frames shown in FIG. 7. A panoramic view of the same scene is also produced and shown in FIG. 8c (Col. 36, lines 7-34, emphasis added). Better object models can be built using voxels which are cells on a three-dimensional grid representing spatial occupancy (Col. 36, lines 61-67).

Thus, *Moezzi, et al.* merely discloses generating a three-dimensional model and generating a panoramic view of the same scene. Nothing in *Moezzi, et al.* shows, teaches or suggests generating a panorama picture by mapping a plurality of pictures onto a vertical spherical surface representing the spherical surface in which the photographing means is disposed as claimed in claims 1-3. Rather, *Moezzi, et al.* merely discloses creating a three-dimensional model using voxels and generating a panoramic view of the scene.

*Yamaashi, et al.* appears to disclose a camera 101 and universal head 102 of a motorized camera are disposed at a place which is remote from a control room where operators work (Col. 3, lines 9-12). Display part 105 displays the whole image, from data received from the whole

image memory section 107 and the camera image taken by sampling section 104 on display screen 110, and display area 108 represents the viewing area of camera 101 (Col. 3, lines 40-45).

Thus, *Yamaashi, et al.* only discloses a camera 102, a display screen 110 and a display part 105. Nothing in *Yamaashi, et al.* shows, teaches or suggests generating a panoramic picture by mapping a plurality of pictures onto a virtual spherical surface representing the spherical surface in which the photographing means is disposed as claimed in claims 1-3. Rather, *Yamaashi, et al.* merely discloses a camera 101, a universal head 102, a display part 105 and a display screen 110.

A combination of *Moezzi, et al.* and *Yamaashi, et al.* would not be possible since *Yamaashi, et al.* is directed to a monitoring system while *Moezzi, et al.* is directed to three-dimensional modeling. Even assuming arguendo that the references could be combined, the combination would merely suggest to use the camera system of *Yamaashi, et al.* for the plurality of cameras in *Moezzi, et al.* to create the three-dimensional model. Thus, nothing in the references taken singularly or in combination show, teach or suggest generating a panoramic picture by mapping a plurality of pictures onto a spherical surface as claimed in claims 1-3. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1-3 under 35 U.S.C. § 103.

Claims 1-3 were rejected under 35 U.S.C. § 103 as being unpatentable over *Ritchev* (U.S. Patent No. 5,130,794) in view of *Hogan, et al.* (U.S. Patent No. 5,657,246).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Ritchey* appears to disclose a panoramic display system for recording, distributing, and displaying panoramic scenes which encompass all directions viewable by a viewer (Col. 1, lines 5-8). Component signals comprising image segments 13a-13f are transmitted from panoramic camcorder 27. The image segments 13 are manipulated by an effects unit 7 to generate the effect to the viewer that he or she can visually pan the scene of spherical coverage (i.e. field of view). (Col. 18, lines 3-8). The wedding of shape and context is called texture or surface mapping. The video processing system 7 may form a cube by wrapping, warping, twisting or moving the video. FIG. 3 shows a typical video frame 26 comprised of 6 image segments 13a-13f representing portions of the surrounding scene of spherical coverage. Portions of the picture 13a-13f are moved and wedged to the sides of the cube to find in the video processing system 7. (Col. 18, line 63 – Col. 19, line 3).

Thus, *Ritchey* merely discloses surface mapping image segments into a cube. Nothing in *Ritchey* shows, teaches or suggests generating a panoramic picture by mapping onto a virtual spherical surface with represents the spherical surface in which the photographing means is disposed as claimed in claims 1-3. Rather, *Ritchey* merely discloses creating a three-dimensional image by mapping onto a a cube.

*Hogan, et al.* appears to disclose a video conference platform 12 including a camera 24 for generating video images. Preferably, camera 24 is a camera that allows for automatic pan, tilt and zoom. Also, included as part of the platform 12 is a microphone 26 for generating audio information, a display 28 for displaying video information and a speaker 30 for broadcasting audio information (Col. 3, lines 56 – 62).

Thus, *Hogan, et al.* merely discloses a camera 24 and a display 28. Nothing in *Hogan, et al.* shows, teaches or suggests a panoramic picture generated by mapping a plurality of pictures

onto a virtual spherical surface representing the spherical surface in which the photographing means is disposed as claimed in claims 1-3. Rather, *Hogan, et al.* merely discloses a camera and a display.

A combination of *Ritchey* and *Hogan, et al.* would merely suggest to used the camera 24 of *Hogan, et al.* in place of the panoramic camcorder 27 of *Ritchey*. Thus, nothing in the combination of the references shows, teaches or suggests generating a panoramic picture by mapping a plurality of pictures onto a virtual spherical representing the spherical surface in which the photographing means is disposed surface as claimed in claims 1-3. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1-3 under 35 U.S.C. § 103.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicants respectfully request the Examiner enters this response for purposes of appeal.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'EMAS', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke at the end.

By

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